



Steven K. Young, Director

Hospitals Reminded of Patient Death Reporting Requirements

DES MOINES, IOWA (November 7, 2006) – The Iowa Department of Inspections and Appeals (DIA) recently received a reminder from the Centers for Medicare & Medicaid Services (CMS) that hospitals report patient deaths associated with restraints or seclusion. Federal regulations require that hospitals must report to CMS any patient deaths that occur while the patient is restrained or in seclusion for behavior management, such as violent behavior toward self or others. Hospitals also are required to report situations where it is reasonable to assume that a patient's death is the result of restraint or seclusion used for behavior management.

CMS's Survey and Certification Letter (S&C-06-31) reiterates that hospitals have clear responsibilities and timeframes for reporting deaths related to behavior management restraint and seclusion. All patient deaths associated with restraints or seclusion must be reported directly to the CMS regional office located in Kansas City, Missouri. The deaths must be reported to the regional office prior to the close of business on the business day following the day of the patient's death.

If a hospital reports a restraint/seclusion death to the Department's Health Facilities Division, the hospital will be advised to contact the CMS Regional Office directly [De Friedrich or Sherri Pater at (816) 426-2011]. In addition, DIA is required to forward a report from any source of a behavior management restraint or seclusion death to the regional office on the same day that the Department receives the report.

Upon receipt of a restraint/seclusion death report, the regional office will evaluate the information to verify that the case actually involves seclusion or restraint use for behavior management and not usage related to acute medical or surgical care. If the patient's death falls under the behavior management standard, the regional office will authorize DIA within two working days to conduct an investigation of the hospital's compliance with the Patient's Rights Condition of Participation. Also notified by the regional office will be CMS' Central Office and the hospital's accrediting organization, if deemed, and the state's protection and advocacy group.

Within five working days of the authorization, DIA is to complete its investigation. A completed Restraint/Seclusion Death Report Worksheet is to be transmitted to CMS' Kansas City Regional Office within two working days of completing the investigation.

It should be noted that the CMS reporting requirement applies only to the 41 Medicare certified hospitals operating in Iowa. Critical access hospitals in Iowa, of which there are 82, do not have the same reporting requirements as they are certified under a different set of Patients Rights standards.

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